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In re Application of:
Remacle et al.
Serial No.: 09/816,763
Filed: March 23, 2001
Attorney Docket No.: VANM212.001AUS

DECISION ON PETITION TO
WITHDRAW THE HOLDING
OF ABANDONMENT

This is in response to applicants' petition under 37 CFR § 1.181(a) filed on August 1, 2005, requesting withdrawal of the holding of abandonment based on the timely filing of a response to the Office action mailed January 1, 2005.

A review of the file history shows that the examiner mailed an Office action to applicant on January 1, 2005, setting a three-month statutory time period for reply. On July 13, 2005, the examiner mailed a notice of abandonment for failure to respond to the outstanding Office action.

Applicants state that a timely response to the Office action was filed on July 6, 2005, as evidenced by the Certificate of Mailing date of July 6, 2005; and received by the USPTO on July 8, 2005, as evidenced by the return receipt stamped postcard identifying the papers filed.

In view of this evidence, applicant is considered to have submitted a timely reply.

Applicants' petition is **GRANTED**. This application will be forwarded to the examiner for consideration of the Response of July 6, 2005.

Should there be any questions about this decision, please contact Marianne C. Seidel by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0584 or facsimile at 703-872-9306.

Jasemine Chambers
Director, Technology Center 1600